

Order

Michigan Supreme Court
Lansing, Michigan

November 26, 2008

Clifford W. Taylor,
Chief Justice

137683 & (21)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 137683
COA: 288723
Oakland CC: 2008-221695-FH

DEVON HOWARD,
Defendant-Appellee.

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the November 10, 2008 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted to determine whether the trial court followed the standards set forth in MCR 6.201(C)(2) and *People v Stanaway*, 446 Mich 643 (1994), in granting an in camera review of privileged materials. The proceedings in the Oakland Circuit Court are stayed pending the completion of this appeal. On motion of a party or on its own motion, the Court of Appeals may modify, set aside, or place conditions on the stay if it appears that the appeal is not being vigorously prosecuted or if other appropriate grounds appear.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 26, 2008

Corbin R. Davis

Clerk